



The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

Mr. George Vierra  
The Works Athletic Club  
246 Route 108  
Somersworth, New Hampshire 03878

**LETTER OF DEFICIENCY**  
WMB PBF 04-03  
June 17, 2004

Dear Mr. Vierra:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On June 7, 2004, DES inspected the following public bathing facilities at The Works Athletic Club, in Somersworth, NH: (a) the indoor pool, ("Indoor Pool"); (b) the indoor spa ("Indoor Spa"); (c) the spa at the men's locker room ("Men's Spa"); (d) the spa at the women's locker room ("Women's Spa"); (e) the outdoor adult pool ("Adult Pool"); (f) the outdoor family pool ("Family Pool") and (g) the outdoor spa ("Outdoor Spa").

During this inspection, the following deficiencies were noted:

Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Family Pool water was 4.04 mg/L on June 7, 2004. The free chlorine residual of the Adult Pool water was 5.34 mg/L on June 7, 2004.

Env-Ws 1103.15(d) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Adult Pool water was 8.0 on June 7, 2004.

Env-Ws 1103.16(f) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Men's Spa water was 8.2 on June 7, 2004. The pH of the Women's Spa water was 8.0 on June 7, 2004.

4. Pursuant to Env-Ws 1103.16(h), spa water temperature shall not exceed 104°F. The temperature of the Men's Spa water was 105.2°F on June 7, 2004. The temperature of the Women's Spa water was 104.6°F on June 7, 2004.
5. Pursuant to Env-Ws 1103.15(a), disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypochlorite or bromine tablets with control of the erosion rate. The Family and Adult Pools are currently being disinfected by hand feeding.
6. Pursuant to Env-Ws 1103.16(a), disinfection of spa water shall be achieved by continuous feed equipment. The Outdoor Spa, Men's Spa, and Women's Spa are currently being disinfected by hand feeding.

Env-Ws 1104.04(a) requires the following safety devices to be present at all public pools: (1) a light, strong pole not less than 12 feet long, including a body hook, and (2) a minimum one-fourth inch diameter throwing rope as long as one and one-half times the maximum width of the pool or 50 feet, whichever is less, to which has been firmly attached a ring buoy with an outside diameter of approximately 15 inches or a similar flotation device. These safety devices were not present at the Adult or Family Pool at the time of inspection.

8. Env-Ws 1105.01(j) requires a rope with attached floats a ("breakpoint safety line") to be placed across public pools over the break in depth between the shallow and deep portions of the pool. A breakpoint safety line was not present in the Adult Pool at the time of the inspection.
9. Pursuant to Env-Ws 1104.03(b), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Patron rules were not posted at the Adult Pool at the time of the inspection.
10. Pursuant to Env-Ws 1104.03(d)(7), a clock shall be visible from all public spas. A clock was not visible from the Outdoor Spa at the time of the inspection.

Pursuant to Env-Ws 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Adult Pool, Family Pool, Outdoor Spa, Men's Spa, or the Women's Spa at the time of the inspection.

Env-Ws 1104.03(e)(1) states that the depth of water in feet shall be plainly and conspicuously marked at or above the water line on the vertical pool wall and on the top of the coping or edge of the deck or walk next to the pool. The depth of the Adult Pool and Family Pool was not marked on the pool decks.

Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Adult Pool and the Family Pool did not include a flow meter.

14. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The filtration system for the Outdoor Spa did not include a flow meter.

DES believes the cited deficiencies can be corrected within 30 days. A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

1. The type, manufacture, and model of the disinfectant feeders to be installed for the Adult Pool, Family Pool, Outdoor Spa, Men's Spa, and Women's Spa.
2. The type, manufacture, and model of the flow meters to be installed for the Adult Pool, Family Pool, and the Outdoor Spa.
3. A timetable of when:
  - a. the safety items will be in place;
  - b. the depth will be marked;
  - c. patron rules will be posted;
  - d. the installation of the disinfectant feeders will be completed; and
  - e. the installation of the flow meters will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

The Works Athletic Club  
WMB PBF 04-03  
June 17, 2004  
Page 3

We appreciate your cooperation in this matter. Please contact Carrie Boudreau at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

**COPY**

Jody Connor  
Limnology Center Director

cc: ✓ Gretchen R. Hamel, Legal Unit Administrator, DES  
Carrie Boudreau, Public Bathing Facility Inspector, DES  
Carroll Seigars, Health Officer, Town of Somersworth

Certified Mail # 7000 1670 0000 0585 9312